

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

JAMES EDWARD GRANT,

Plaintiff,

v.

TRENTON SCHAEFER,

Defendant.

ORDER

08-cv-672-slc

On February 3, 2009, this court entered an order granting plaintiff James Grant's request for leave to proceed *in forma pauperis* on his claim that defendant used excessive force against him in violation of the Eighth Amendment when he slammed plaintiff's head into a door. Shortly after that, this court forwarded plaintiff's complaint to the state Attorney General's office for service on the defendant as part of an informal service agreement this court has with the Attorney General. However, now the Attorney General's office has informed the court that it cannot accept service for defendant because he is not a state employee.

Because the informal service agreement does not apply to persons who are not state employees, plaintiff will have to complete a Marshals Service and summons form for defendant Schaefer so that the United States Marshal can serve him with the complaint. Plaintiff will have to indicate on the forms an address at which the defendant may be found, which address may be the Dane County jail's address if defendant still works there.

ORDER

IT IS ORDERED that plaintiff James Grant may have until February 20, 2009, in which to complete the enclosed Marshals Service and summons forms and return them to the

court so that his complaint may be served on defendant Schaefer. If, by February 20, 2009, plaintiff fails to complete the forms and return them to the court, then I will dismiss this case for plaintiff's failure to prosecute it.

Entered this 8th day of February, 2009.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge